

**MINUTES
TENNESSEE MASSAGE LICENSURE BOARD
February 27, 2012**

Time: 9:00 a.m. C.S.T.

Location: 227 French Landing
HRB Conference Center
1st Floor, Iris Room
Nashville TN 37228

Members Present: Marcela Collins, LMT, Chairperson
Faith Mayton, LMT, Secretary
Chris Sluss, LMT
Cynthia Jagers, LMT
Ed Bolden, LMT
Pamela Edmond, Citizen Member
Michael Velker, Citizen Member

Staff Present: Dianne Birkner, Board Manager
Lisa Lampley, Board Director
Marc Guilford, Assistant General Counsel
John R. Smith, Chief Deputy Counsel

The meeting was called to order at 9:07 a.m. by Ms. Marcela Collins, Board Chairperson.

Ms. Collins introduced and welcomed Mr. Michael Velker from Franklin, Tennessee, as the newly appointed citizen member.

Mr. Guilford introduced Mr. John Smith as the new Chief Deputy Counsel for the Department of Health.

Minutes

Mr. Bolden made a motion to approve the October 24, 2011 minutes as amended. Ms. Edmond seconded the motion. The motion carried.

Applicant Interviews

Melinda Gayle Moore

Ms. Moore appeared before the Board to explain a 2010 DUI conviction. Based on information in

Ms. Moore's file, she had been requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at the meeting and stated that the assessment indicated no alcohol or drug related problems. Mr. Sluss made a motion, seconded by Ms. Mayton, to grant the license. The motion carried.

Adam Jacob Lawrence

Mr. Lawrence appeared before the Board to explain multiple convictions in 2007. Based on information in Mr. Lawrence's file, he had been requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at the meeting and stated that the assessment indicated no alcohol or drug related problems. Mr. Bolden made a motion, seconded by Mr. Sluss, to grant the license. The motion carried.

David Kent Wells

Mr. Wells appeared before the Board to explain a 2006 disorderly conduct conviction. Based on information in Mr. Wells' file, he had been requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at the meeting and stated that the assessment indicated no alcohol or drug related problems. Mr. Sluss made a motion, seconded by Mr. Bolden, to grant the license. The motion carried.

Bryce Alexander Barrett

Mr. Barrett appeared before the Board to explain a 2010 reckless endangerment conviction. Based on information in Mr. Barrett's file, he had been requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at the meeting and stated that the assessment indicated no alcohol or drug related problems. Mr. Bolden made a motion, seconded by Ms. Edmond, to grant the license. The motion carried.

Anna Claire Goodwin

Ms. Goodwin appeared before the Board to explain multiple convictions in 2008 and probation violations in 2009 and 2010. Based on information in Ms. Goodwin's file, she had been requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at the meeting and stated that the assessment indicated no alcohol or drug related problems. Ms. Mayton made a motion, seconded by Ms. Edmond, to grant the license. The motion carried.

Seth Allen Bird

Mr. Bird appeared before the Board to explain why he answered "no" to the application question regarding any convictions other than a minor traffic offense. Mr. Bird had a 2003 conviction for driving while intoxicated. Based on information in Mr. Bird's file, he had been requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at the meeting and stated that the assessment indicated no alcohol or drug related problems. Mr. Bolden made a motion, seconded by Mr. Sluss, to grant the license. The motion carried.

Rebecca Kathleen Upchurch

Ms. Upchurch appeared before the Board to explain a 2008 DUI conviction. Based on information in Ms. Upchurch's file, she had been requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at the meeting and stated that the assessment indicated no alcohol or drug related problems. Mr. Bolden made a motion, seconded by Mr. Sluss, to grant the license. The motion carried

Kimberly Nicole Gorman

Ms. Gorman appeared before the Board to explain why she answered "no" to the application question regarding any convictions other than a minor traffic offense. Ms. Gorman has a 2004 conviction for opening others' mail while working as a mail clerk in the US Army. Based on information in Ms. Gorman's file, she had been requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at the meeting and stated that the assessment indicated no alcohol or drug related problems. Ms. Mayton made a motion, seconded by Mr. Bolden, to grant the license. The motion carried

Bryan David Jonas

Mr. Jonas appeared before the Board to explain multiple convictions in 2007, 2008, and 2011. Based on information in Mr. Jonas' file, he had been requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at the meeting and stated that the assessment indicated no alcohol or drug related problems. Mr. Velker made a motion, seconded by Mr. Sluss, to grant the license. The motion carried with Ms. Edmond opposed.

Marcia C. Scruggs

Ms. Scruggs appeared before the Board to explain a 2008 disorderly conduct conviction. Based on information in Ms. Scruggs's file, she had been requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at the meeting and stated that the assessment indicated no alcohol or drug related problems. Mr. Bolden made a motion, seconded by Mr. Sluss to grant the license. The motion carried with Ms. Edmonds opposed.

Robert Garrison

Mr. Garrison appeared before the Board on October 24, 2011 to explain a 2010 conviction for possessing drug paraphernalia. Based on information in Mr. Garrison's file, he had been requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at the meeting and stated that the assessment indicated no alcohol or drug related problems. The Board deferred action on Mr. Garrison's file at the prior meeting and requested that he provide the Board with a timeline of events and court documents pertaining to the conviction, which he did. Mr. Bolden made a motion, seconded by Mr. Velker to grant the license. The motion carried with Ms. Edmond opposed.

Jason Edward Farver

Mr. Farver appeared before the Board to explain why he answered “no” to the application question regarding any convictions other than a minor traffic offense. Mr. Farver had multiple convictions. Based on information in Mr. Farver’s file, he had been requested to contact Lighthouse Professional Services for an assessment. Ms. Smithson appeared at the meeting and stated that the assessment indicated no alcohol or drug related problems. Ms. Edmond made a motion, seconded by Ms. Jaggars, to grant the license. The motion carried with Mr. Velker and Ms. Mayton opposed.

Applicant File Review

Jacqueline Jacquie Winters

Ms. Winters submitted an application for licensure by reciprocity as a massage therapist. Ms. Winters was present to answer questions from the board. Ms. Winters is sixty-five (65) hours short in massage theory and practice. Ms. Winters has held a license in Texas for twenty-two years and a license in Arkansas for eighteen years. Mr. Bolden made a motion to approve Ms. Winter’s application for licensure. Ms. Edmond seconded the motion. The motion carried.

Administrator/Director Report

As of January 31, 2012 there were 4,511 licensed massage therapists and 1,535 licensed massage establishments.

LICENSE STATUS SINCE LAST MEETING

<i>THERAPISTS</i>	<i>ESTABLISHMENTS</i>
<i>October 2011</i>	<i>October2011</i>
Newly Licensed – 51	Newly Licensed – 15
Reinstates – 9	Reinstates- 0
Retired- 21	Retired- 12
New Applications- 61	New Applications- 15

<i>THERAPISTS</i>	<i>ESTABLISHMENTS</i>
<i>November 2011</i>	<i>November 2011</i>
Newly Licensed – 37	Newly Licensed – 23
Reinstates – 6	Reinstates- 4

Retired- 26	Retired- 16
New Applications- 51	New Applications- 26

<i>THERAPISTS</i>	<i>ESTABLISHMENTS</i>
<i>December 2011</i>	<i>December 2011</i>
Newly Licensed – 30	Newly Licensed – 16
Reinstates – 12	Reinstates- 2
Retired- 17	Retired- 21
New Applications- 41	New Applications- 18

<i>THERAPISTS</i>	<i>ESTABLISHMENTS</i>
<i>January 2012</i>	<i>January 2012</i>
Newly Licensed – 30	Newly Licensed – 20
Reinstates – 14	Reinstates- 2
Retired- 29	Retired- 13
New Applications- 59	New Applications- 24

Investigation/Disciplinary Report

Ms. Juanita Stone reported there are currently sixty-three (63) open complaints for massage therapists. There are twelve (12) open complaints for establishments.

Order of Compliance – Matthew Miner

Ms. Juanita Stone presented the Order of Compliance to the Board. Mr. Miner has completed the conditions of his probation. Mr. Sluss made a motion to approve the Order of Compliance. Ms. Edmond seconded the motion. The motion carried

Financial Report

A financial report reflecting actual revenue and expenditures for fiscal year ending June 30, 2011 was reviewed. The report reflected a current year net of \$182,577.41 for FY2011 and a \$152,410.56 cumulative carryover as of June 30, 2011.

Continuing Education Audit Report

Ms. Dianne Birkner presented the continuing education audit report for the audit period January 2011 through June 2011. A total of 608 therapists were audited, 318 licensees were compliant and

290 were non-compliant. Ms. Birkner also presented a chart comparison of continuing education compliance with all other health related boards. The chart indicated that massage therapists had the lowest percentage of compliance with a 52% compliance rate.

Office of General Counsel Report

Mr. Marc Guilford, Board Attorney, reported that the Office of General Counsel (OGC) currently has fifteen (15) open cases pertaining to the Massage Licensure Board, three (3) of which will be closed today by consent or agreed order, if approved. Mr. Guilford further reported that the rule amendments were approved by the Attorney General's office just prior to the October board meeting. OGC has drafted the regulatory impact analysis memorandum required by the Governor's office and has submitted the completed rule packet to the Governor's office for approval. Once approved, the rules will be filed with the Secretary of State and go into effect 90 days thereafter.

Legislation

Mr. Guilford reported that Sections 11 and 12 of Tennessee House Bill 2387 (Senate Bill 2249) would move the Massage Board from its current place under the Department of Health, Division of Health Related Boards, to the Department of Commerce and Insurance, Division of Regulatory Boards.

Ms. Maj-Lis Nash, President, American Massage Therapy Association-Tennessee Chapter, stated she had been informed by the Governor's office that the bill was being amended to remove the sections moving the Massage Board to the Dept. of Commerce and Insurance. She thanked the Governor's office for their assistance.

Ms. Collins thanked everyone that participated in the process to have those sections of the bill removed.

Ratify Agreed Citation for Lapsed License

Upon review by the Board, a motion was made by Mr. Bolden, seconded by Mr. Sluss, to approve the following Agreed Citations:

Judy Cunningham, Owner, The Sports Massage Center @ the Cottage

Ms. Cunningham agreed to pay a civil penalty in the amount of \$200.00 for operating a massage establishment on a lapsed license.

Marni J. Cost, LMT

Ms. Cost agreed to pay a civil penalty in the amount of \$100.00 for practicing on a lapsed license.

Philip Brian Clift, LMT

Mr. Clift agreed to pay a civil penalty in the amount of \$200.00 for practicing on a lapsed license.

Monterrica Blake, LMT

Ms. Blake agreed to pay a civil penalty in the amount of \$100.00 for practicing on a lapsed license.

Bryce Derek Moore, LMT

Mr. Moore agreed to pay a civil penalty in the amount of \$200.00 for practicing on a lapsed license.

The motion carried.

Ratify Agreed Citations for Continuing Education Violations

Upon review by the Board, a motion was made by Mr. Sluss, seconded by Ms. Jagers, to approve the following Agreed Citations:

Kelly E. Allen, LMT

Ms. Allen agreed to pay civil penalties in the amount of \$250.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Julie Diane Artigas, LMT

Ms. Artigas agreed to pay civil penalties in the amount of \$225.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Beth E. Barber, LMT

Ms. Barber agreed to pay civil penalties in the amount of \$200.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Melissa Rye Bell, LMT

Ms. Bell agreed to pay civil penalties in the amount of \$250.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Noelle Marie Bittle, LMT

Ms. Bittle agreed to pay civil penalties in the amount of \$200.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Troy Leonard Bramlett, LMT

Mr. Bramlett agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Michael Paul Buck, LMT

Mr. Buck agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Jennifer Lynn Byrd, LMT

Ms. Byrd agreed to pay civil penalties in the amount of \$275.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Terri Lynn Campbell, LMT

Ms. Campbell agreed to pay civil penalties in the amount of \$250.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Karen Louise Carter, LMT

Ms. Carter agreed to pay civil penalties in the amount of \$275.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Barbara June Carter, LMT

Ms. Carter agreed to pay civil penalties in the amount of \$175.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Beverly B. Chumbley, LMT

Ms. Chumbley agreed to pay civil penalties in the amount of \$175.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Christie Ann Cross, LMT

Ms. Cross agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Wynne Danielle Demas, LMT

Ms. Demas agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Rentha Deandrea Denton, LMT

Ms. Denton agreed to pay civil penalties in the amount of \$575.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Kelly Jean Derscheid, LMT

Ms. Derscheid agreed to pay civil penalties in the amount of \$200.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Jenyfer Danyal Driggers, LMT

Ms. Driggers agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Jennifer Elizabeth Durand, LMT

Ms. Durand agreed to pay civil penalties in the amount of \$200.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Andrea Ruth Edison-Totherow, LMT

Ms. Edison-Totherow agreed to pay civil penalties in the amount of \$175.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Robin Michele Floyd, LMT

Ms. Floyd agreed to pay civil penalties in the amount of \$475.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Carrie Lorraine Foley, LMT

Ms. Foley agreed to pay civil penalties in the amount of \$250.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Chalee Tennison Gillespie, LMT

Ms. Gillespie agreed to pay civil penalties in the amount of \$675.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Naomi Joyce Govinder, LMT

Ms. Govinder agreed to pay civil penalties in the amount of \$175.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Laura Elizabeth Hampton, LMT

Ms. Hampton agreed to pay civil penalties in the amount of \$425.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Sarah Melisa Harris, LMT

Ms. Harris agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Bettina Harris-Burd, LMT

Ms. Harris-Burd agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Lindsey Nicole Heflin, LMT

Ms. Heflin agreed to pay civil penalties in the amount of \$200.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Darlene Havard Holcomb, LMT

Ms. Holcomb agreed to pay civil penalties in the amount of \$675.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Jeffrey Leonard Hoover, LMT

Mr. Hoover agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Judy Kay Hurst, LMT

Ms. Hurst agreed to pay civil penalties in the amount of \$575.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Crystal Michelle Hurt, LMT

Ms. Hurt agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Jakatae Jessup, LMT

Ms. Jessup agreed to pay civil penalties in the amount of \$600.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Kristy Lynn Kaplan, LMT

Ms. Kaplan agreed to pay civil penalties in the amount of \$250.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Lyla Jean Keeler, LMT

Ms. Keeler agreed to pay civil penalties in the amount of \$175.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Karen Lee Krogh, LMT

Ms. Krogh agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Margie Ann Lafleur, LMT

Ms. Lafleur agreed to pay civil penalties in the amount of \$675.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Kathryn Diane Larson, LMT

Ms. Larson agreed to pay civil penalties in the amount of \$200.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Olivia Anne Lowe, LMT

Ms. Lowe agreed to pay civil penalties in the amount of \$250.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Monique Farrell Luball, LMT

Ms. Luball agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Denise Marie Martin, LMT

Ms. Martin agreed to pay civil penalties in the amount of \$675.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Joni Lynn Massengale, LMT

Ms. Massengale agreed to pay civil penalties in the amount of \$200.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Kristi Michelle Mathis, LMT

Ms. Mathis agreed to pay civil penalties in the amount of \$350.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Teresa G. McCord, LMT

Ms. McCord agreed to pay civil penalties in the amount of \$200.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Patricia A. McDevitt, LMT

Ms. McDevitt agreed to pay civil penalties in the amount of \$375.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Pamela Arlene McMurry, LMT

Ms. McMurry agreed to pay civil penalties in the amount of \$200.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Kathy Sue Merrill, LMT

Ms. Merrill agreed to pay civil penalties in the amount of \$200.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Leslie Maude Merritt, LMT

Mr. Merritt agreed to pay civil penalties in the amount of \$575.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

La'Shon E. Merriwether, LMT

Ms. Merriwether agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Paulette Dickey Miles, LMT

Ms. Miles agreed to pay civil penalties in the amount of \$250.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Annie Elizabeth Miller, LMT

Ms. Miller agreed to pay civil penalties in the amount of \$250.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Jennifer Brooke Miller, LMT

Ms. Miller agreed to pay civil penalties in the amount of \$550.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Karen Sue Moneymaker, LMT

Ms. Moneymaker agreed to pay civil penalties in the amount of \$200.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Calicia Jean Moss, LMT

Ms. Moss agreed to pay civil penalties in the amount of \$675.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Daniel J. Phillips, LMT

Mr. Phillips agreed to pay civil penalties in the amount of \$475.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Janet Lynn Phillips, LMT

Ms. Phillips agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Katherine Robine, LMT

Ms. Robine agreed to pay civil penalties in the amount of \$675.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Joy D. Rodgers, LMT

Ms. Rodgers agreed to pay civil penalties in the amount of \$250.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Francis K. Santarsiera, LMT

Ms. Santarsiera agreed to pay civil penalties in the amount of \$200.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Sharon Anne Scott, LMT

Ms. Scott agreed to pay civil penalties in the amount of \$200.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Tina R. Simon-McNerlin, LMT

Ms. Simon-McNerlin agreed to pay civil penalties in the amount of \$200.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Geoffrey A. Skene, LMT

Mr. Skene agreed to pay civil penalties in the amount of \$250.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Jennifer Smith-Elmore, LMT

Ms. Smith-Elmore agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Huey Eugene Storms, LMT

Mr. Storms agreed to pay civil penalties in the amount of \$725.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Elizabeth Anne Sublett, LMT

Ms. Sublett agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Bobbi Jean Swann, LMT

Ms. Swann agreed to pay civil penalties in the amount of \$250.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Sharon G. Tews, LMT

Ms. Tews agreed to pay civil penalties in the amount of \$200.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Patrick Alvah Thornhill, LMT

Mr. Thornhill agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Phedelma M. Turner, LMT

Ms. Turner agreed to pay civil penalties in the amount of \$200.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Jessica Marie Wade, LMT

Ms. Wade agreed to pay civil penalties in the amount of \$450.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Ellen L. Warshaw, LMT

Ms. Warshaw agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Shannon Lee West, LMT

Mr. West agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Sheri Willard, LMT

Ms. Willard agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Angela A. Wilsdorf, LMT

Ms. Wilsdorf agreed to pay civil penalties in the amount of \$775.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

Amelia Woodard, LMT

Ms. Woodard agreed to pay civil penalties in the amount of \$325.00 for failing to obtain sufficient continuing education during the 2009/2010 continuing education cycle.

The motion carried.

Continuing Education Waiver Requests

Gerri L. Smith, LMT

Ms. Smith requested a waiver for two (2) hours of continuing education for the 2009/2010 continuing education cycle. Ms. Smith was scheduled to take Tennessee Law and Business on December 18, 2010; however, her mother passed away on December 17, 2010. She has since made up the class. Ms. Mayton made a motion, seconded by Ms. Edmond, to grant the waiver. The motion carried with Mr. Sluss and Mr. Bolden opposed.

Kerry J. Brady, LMT

Ms. Brady requested a waiver for twenty-five (25) hours of continuing education for the 2009/2010

continuing education cycle due to a family illness. Ms. Mayton made a motion, seconded by Mr. Bolden, to deny her waiver request. The motion carried. Ms. Brady did complete a CPR class in 2009. Mr. Sluss made a motion to amend the previous motion, allowing for the number of hours obtained in the CPR class. Mr. Bolden seconded the motion. The motion carried.

Nathan A. Fox, LMT

Mr. Fox requested a waiver for the 2009/2010 continuing education requirements and asked that consideration be given for the pre-medical and pre-physical therapy courses taken during this time period. Mr. Fox could not show proof of 2007/2008 continuing education hours. Ms. Mayton made a motion, seconded by Mr. Sluss, to deny his waiver request. The motion carried with Mr. Velker and Mr. Bolden abstaining.

JoAnn Niebruegge, LMT

Ms. Niebruegge requested a waiver of twenty-one (21) hours of continuing education for the 2009/2010 continuing education cycle due to medical and financial hardships. Ms. Niebruegge could not show proof of 2007/2008 continuing education hours. Mr. Bolden made a motion, seconded by Ms. Mayton, to deny the waiver request. The motion carried.

Elena Stoeva, LMT

Ms. Stoeva requested a waiver for five (5) hours of continuing education for the 2009/2010 continuing education cycle due to medical reasons. Ms. Stoeva provided copies of her medical records and proof of continuing education for the 2007/2008 cycle. Mr. Sluss made a motion, seconded by Ms. Mayton, to approve her request. The motion carried.

Sandra J. Phelps, LMT

Ms. Phelps requested a waiver for twenty-five (25) hours of continuing education for the 2009/2010 continuing education cycle due to medical reasons and family illnesses. Ms. Phelps could not show proof of 2007/2008 hours. Mr. Sluss made a motion, seconded by Mr. Bolden, to deny the request. The motion carried.

Joan Docekal, LMT

Ms. Docekal requested a waiver for twenty-one (21) hours of continuing education for the 2009/2010 continuing education cycle due to medical reasons. Ms. Docekal completed a four (4) Tennessee Massage Law and Business class in 2010. Ms. Docekal watched Internet videos and requested those to be considered. Ms. Docekal did not provide the requested documents for the 2007/2008 cycle. Mr. Bolden made a motion, seconded by Ms. Mayton, to deny the request. The motion carried.

Donna M. Kulesza, LMT

Ms. Kulesza requested a waiver of twenty-five (25) hours of continuing education for the 2009/2010 continuing education cycle due to a family illness. Ms. Kulesza could not show proof of 2007/2008 continuing education hours. Ms. Edmond made a motion, seconded by Mr. Bolden, to deny the waiver request. The motion carried with Ms. Mayton opposed.

Barbara Greene, LMT

Ms. Greene requested a waiver of two (2) hours of continuing education for the 2009/2010 continuing education cycle due to medical reasons. Ms. Greene provided proof of her 2007/2008 hours. Mr. Sluss made a motion to deny Ms. Greene's request. The motion died for lack of a second. Mr. Bolden made a motion, seconded by Ms. Edmond, to grant the waiver request. The motion carried with Mr. Sluss opposed.

Request for Continuing Education Course Approval

Beth Sack-Rogers, LMT

Ms. Sack-Rogers had submitted a Tennessee Law class and an Ethics class for review and approval to teach the classes. Ms. Jagers reviewed these classes and deferred them to the Board due to discrepancies in her biography and her original application for licensure and due to incomplete course content. Ms. Sack-Rogers stated on the licensure application submitted on April 11, 2011, that she had never been licensed in any other state. The biography submitted with her continuing education course material stated that Ms. Sack-Rogers was licensed in North Carolina; however, verification from the North Carolina Massage Board indicated that she has never held a license to practice massage therapy in North Carolina. Ms. Edmond made a motion, seconded by Ms. Mayton, to deny her request to teach these courses. The motion carried.

Request for Approval of Continuing Education Credits

Madia Swicord, LMT

Ms. Swicord requested approval for seventeen (17) continuing education hours she obtained in a Yin Yoga training course taken in 2010. Ms. Mayton made a motion, seconded by Mr. Bolden, to deny the request. The motion carried.

N. Carol Martin, LMT

Ms. Martin requested approval for two (2) hours of continuing education for a course obtained through Emory University, entitled "Compassion Meditation: Mapping Current Research and Charting Future Directions". Ms. Martin was present to answer any questions. Mr. Velker made a motion, seconded by Ms. Mayton, to grant her request. The motion carried.

Nikki Reynolds, LMT

Ms. Reynolds requested approval of continuing education hours for a course entitled "Addictions

in Society” obtained through Spalding University. Mr. Bolden made a motion to approve five (5) hours for this course. Ms. Edmond seconded the motion. The motion carried

Ratifications

Massage Therapists

Mr. Bolden made a motion to approve all new licenses for massage therapists issued from October 7, 2011 through February 3, 2012. Ms. Edmond seconded the motion.

CHUPOO ALAFONTE
JIE ALLEN
MIRANDA LAUREL ALLISON
QUETZALY VINSTRUP ANDERSEN
GREGORY BILINSKY ANDERSON
ROBERT GUY ATKINS II
BILLIE JEAN BAKER
KAYLA ANN BAKER
KATJA CHRISTIN BAUMGARTNER
LESLIE DEANNA RUTH BEACH
JAMES WILLIAM BECKER
CHRISTINA MICHELLE BENTON
RACHAEL DIANE BERRY
NICOLE DANIELLE BIRD
JENNY LEA BLACKWELL
CHARLES BREWSTER
DOROTHY NICOLE BROWN
INEZ FARRIS BURTON
ANDREW HUSTON BUTLER
JENNY KLAIRE BYERS
JACOB HEATH CAFFEY
KAYLA MARIE CAIN
SEAN CONWAY CAMPBELL
MADISON NICOLE CANTERO
DAINA LORRINE CARLSON
VONDA CHERYL CHOATE
STEPHANIE LEA CHRISTIAN
CHRYSTAL DENISE CONN
RUSSELL SHANE COPELAND
MARIE CORBIN
AMBER LEIGH COX
DERRICK DEWAYNE CRAWFORD
ABIGAIL COLE CRIDER
ALISON ELIZABETH DANIEL
NINETTE MENNA DAVIS

MELISSA ANNE DEERING
KATHY DENISE DEW
DENISE MARIE DODGE
TREVECCA MICHELLE DOUTHET
WENDY BOYD ENNIS
VIRGINIA LAUREN ERHARDT
HANSON ALEXANDER FARMER
BRENDA SUE FLETCHER
SHELIA G. GAFFORD
STEPHEN CHARLES GILKEY
JENNIFER ANN GORNES
JOSEPH TIMOTHY GRAGG
MANDY MICHELLE GRAHAM
JARI ANN GREENE
JOEY EDWARD GREENE
KARINA ALLISON GRIFFITHS
LISA K. GRINDSTAFF
CHRISTOPHER ROCK GURNEY
JENNIFER ELIZABETH HAGA
CHRISTINA MARIE HAGAN
JASON E. HAMMONDS
JOANN MARIE HARRIS
HANNA HARVILLE
TONI DEANN HAYS
PAULA JOAN HEIZER
ERIN NICOLE HIRATA
TONJUA DENINE HOLDER
XIAOZHU HONG
CHARITY ELIZABETH HUBBARD
PAUL BOGGAN HULL
SAMANTHA LYNN IRWIN
KARL LEE JACOB
MARY CHRISTILIN JEFFERS
YUNTAO JIANG
JEFF ALAN JOHNS

AMANDA RUTH JOHNSON
PAULA ANNE JOHNSON
WILLIAM R JOHNSON
BRIDGET GISELLE JONES
TARA LEE JONES
ROBIN JANE KESSLER
ANGELA MICHELLE KLUTTZ
MEGAN MICHELLE KNISLEY
SARAH ANN KOPKE
MELINDA KAY LANEY
LISA M. LAU
REBECCA ANN LAUBERSHIMER
IGNATIUS MELVIN LEGAUX III
DEON LISTENBEE
ASHLEY NICOLE LITTLE
JOHN PARK LORD
JUN LU
APRIL JOY LYLE
JOHN CHRISTOPHER MAJORS
VALARY ESTELL MARTINEZ
EVELYN ANNE MCCLARNON
SHAYLA LAKENYA MCTAW
SARAH ANN MEDLIN
CHRISTINA MARIE MOBLEY
TIFFANY CHANT'E MONTAGUE
KENYA LEVONNE MOOLENAAR
EVIE JANETTA MOORE
DAVID ALLEN MULCAHEY
SHANTI THERESE MULLER
LEANNE N. MULLIGAN
EMILY NGOC NGUYEN
JAYETTE MARIE NORMAN
HOLLY ANN OLIVIERI
CASSANDRA LYNNE OPPENHUIZEN
KIMBERLEE JAY OTTLEY
TAMMY ELAINE OVERTON
SHARON E. PAOLETTA
BRIDGETT LEE PATTON
BRITTANY KAYLA PETERS
NICHOLAS EDWARD PHILLIPS
LESLIE JAN POLEY

DANIELLE NICOLE POLLARD
LINDSAY CAROL PROCTOR
MICHELLE MARIE RAMSARAN
ALLISON DANIELLE RARDIN
BILLIE LYNN RAY
NINA M. REED
AMIEE REBECCA REGGIN
JILLIAN PAIGE RICKS
HEIDI LEANN ROESCH
ERIC ALTON ROMBERG
STACY E. RUSSO
LORI ANNE SCOTT
STEPHANIE MARIE SHARPE
BRANDI NICOLE SHAW
SARA ANN SIEMENS
CARA B. SMITH
EDITH NICOLE SMITH
MARGARET ANNE SMITHA
CONNIE LYNN SPEARS
JERRI NICOLE STRANGE
DEBORAH KAY SWANER
PRISCILLA BREON THOMAS
ROBERTA LILLIAN TOOMIRE
NICOLE IRENE VALENCIA
NADIA ISELA VAZQUEZ
MATTHEW JOHN VINCENT
MONIKA VINCENT
CATHERINE M. WATTS
SARAH L WELCH
KENNY RAY WELDON
ADAM CHARLES WHITEHEAD
JESSICA LYNN WILLIAMS
LACIE MICHELLE WILSON
MARCUS ERIN WILSON
MARK WILSON
BRIDGETTE N. WRIGHT
MEIHUA WU
XIEDONG XU
SHIRLEY ANN ZAK
YANHUA ZHANG
LING ZHONG

The motion carried. Mr. Sluss abstained.

Massage Establishments

Mr. Bolden made a motion to approve all new licenses for massage establishments issued from October 7, 2011 through February 3, 2012. Ms. Mayton seconded the motion.

02 SPA
3 ELEMENTS CHIROPRACTIC & WELLNESS, PLLC
A NEW IMAGE TOO
A TOUCH OF HANDS MASSAGE AND SPA
ACU MASSAGE
ALL SEASONS MASSAGE
AMANDA JOHNSON LMT
AMANDA THURMAN LICENSED MASSAGE THERAPIST
ANTHONY'S HAIR DESIGNS
BODY THAIS MASSAGE AND BODYWORK
CARING HANDS THERAPEUTIC MASSAGE
CARL RASMUSSEN LMT
CAROL WHITNEY
CHER DRAKE MASSAGE AND BODYWORK
CHIROPRACTIC ASSOCIATES OF MURFREESBORO
CONTEMPORARY WOMEN'S HEALTH, PLLC
CURVES
DHARMA MASSAGE THERAPY AND BODYWORK
EAST MEETS WEST HOLISTIC EDUCATION CENTER, LLC
EAST TENNESSEE BRAIN & SPINE CENTER, PC
EDEN MASSAGE LLC
ELEMENTS THERAPEUTIC MASSAGE
ELEVATIONS SALON
ENCORE SALON AND SPA
FUNDAMENTAL FITNESS
GOLDEN MASSAGE INC
GOULD'S POPLAR PLAZA
HEAD TO TOE MASSAGE
HEALING HANDS @ THE SHAPE SHACK
HEALING HANDS MASSAGE
HEAVENLY HEALTH MASSAGE
HICKORY HILLS CHIROPRACTIC
INSIDE-OUT LIFEGYM, LLC
INTEGRATE MASSAGE, INC.
JACQUELIN SKIN AND IMAGE
JEANIE'S HEALING CENTER
JILLIAN'S STUDIO
KENNY WELDON L.M.T.
KIM OTTLEY LMT HEALING HANDS MASSAGE
KNOXVILLE MASSAGE THERAPY CENTER

LEYLA'S HAIR STUDIO
MAGIC MASSAGE INC
MESSAGE AT PREMIER SALON & SPA BY CAROL WHITNEY
MESSAGE ENVY OF MT. JULIET
MESSAGE FOR YOU
MESSAGE PROS
MESSAGE THERAPY BY KAREN
MESSAGE-MEMPHIS
MELANIE JOYE, LMT
MOUNTAIN VALLEY MESSAGE N THERAPEUTIC CENTER
MPOWER FITNESS OF COOL SPRINGS
MURFREESBORO DERMATOLOGY CLINIC, PLC
MY BABY BUMP, INC.
NEW WAVE
OCEANS SALON AND DAY SPA
OMNI QUEST LIVING COMPANY
ONEY-CO HAIR STUDIO
ORGANIC ROOTS THERAPEUTIC MESSAGE
ORIENTAL WELLNESS MESSAGE
QUIET REFLECTIONS MESSAGE
REHAB ETC.
RENOVUS LLC
SERENITY MESSAGE
SPA AT HALE SPRINGS INN
SPENCER CHIROPRACTIC
STRUCTURAL INTEGRATION OF NASHVILLE
SUNFLOWER MESSAGE THERAPY
TENNESSEE OCCUPATIONAL HEALTH, INC.
TENNESSEE SPORTS MEDICINE GROUP
THE POTTER'S HAND
THERAPEUTIC BODY SHOP
THERAPEUTIC NUTRITIONAL SERVICES, INC.
TOTTY CHIROPRACTIC CENTER, P.C.
VIBRANT LIFE HEALTH AND WELLNESS
VONDA CHOATE
WHITESTONE HOSPITALITY SERVICES, LLC DBA THE SPA AT WHITESTONE
WILLIAM EDGE SALONSPA, LLC

The motion carried

Message Therapists Reinstated

Ms. Mayton made a motion to approve all reinstated licenses for message therapists issued from October 7, 2011 through February 3, 2012. Mr. Bolden seconded the motion.

SUZAN W. BARDWELL
MONTERRICA EVONNE BLAKE
JEFFREY CECIL BOYD
AMY RENEE BROUGHTON
DEBORAH KAY BUTTERWORTH
CRYSTAL GAYLE CARLOSS
LISA GAIL CARTER
MARY JENNIFER CASHWELL
SHAWANDA E CHANEY
JO CHILCUTT
PHILIP BRIAN CLIFT
SHARON LEVETTE COLEMAN
MARNIE J. COST
ASHLEY ELIZABETH DAUGHERTY
KELLY LEA FERGUSON
ANNA L. HAMIL LMT
DAVID GENE HINTON
APRIL J HUDSON
AMANDA KAY LARSON
BAILEE ANN MCGAHA
BRENDA KAY MITCHELL
BRYCE DEREK MOORE

DIANE MYERS
NICOLE MICHELLE NEUENSCHWANDER
KATHYLYN ROSE NICAUD
SUSAN MARIE NICHOLSON
JOEL DAVID PAAVOLA
ELIZABETH NICOLE PATE
BERNADETTE S PICOU
ANNETTE PIPER
HEIDI HELENA PRITCHETT
MELANIE ALLEN PYRON
BARRON D. QUEEN
AMBER LEE RUSSELL
TAUCHA MICHELLE STEWART
LATOYA MICHELLE TRAMILL
THERESA WALKER
FANG WANG
CHRISTINA NICHOLE WEST
SUSAN LYNN WEST
TRAVIS O'DELL WILLIAMSON
MARGARET CAROLINE WORTHAM
LISA MARIE YARNES

The motion carried.

Massage Establishments Reinstated

Mr. Bolden made a motion to approve all reinstated licenses for massage establishments issued from October 7, 2011 through February 3, 2012. Mr. Sluss seconded the motion.

ABSOLUTE CALMING MASSAGE THERAPY
AT PEACE MASSAGE
BODY BASICS MASSAGE THERAPY
ELIZABETH BURDINE THERAPEUTIC MASSAGE
FOCUS FOR MASSAGE
GREEN HILLS HEALING ARTS
NATURAL HEALTH SOLUTIONS
POWER CHIROPRACTIC, INC.
THE SPORTS MASSAGE CENTER AT THE COTTAGE

The motion carried.

Consent Order

Christopher Richard Robinson, LMT

Mr. Robinson was not present and was not represented by counsel. Mr. Marc Guilford, Assistant General Counsel, presented the Consent Order to the Board for ratification. On or about March 2, 2010 Mr. Robinson was convicted of driving under the influence. Mr. Robinson agrees to have his license to practice massage therapy suspended beginning the effective date of the Order. He further agrees to undergo an assessment with Lighthouse Profession Services, Inc. within sixty (60) days of the effective date of this order and follow recommendations of the assessment. If the results of the assessment recommend a Lighthouse action plan, then Mr. Robinson must obtain and maintain the advocacy of Lighthouse until such time as Lighthouse submits a report that he has successfully completed his monitoring agreement. During the time Mr. Robinson is required to maintain the advocacy of Lighthouse, he shall cause Lighthouse to issue quarterly reports to the Board's consultant detailing his compliance with the terms of the Lighthouse contract and comply with all recommendations of Lighthouse and cause Lighthouse to submit a report when and if he successfully completes the monitoring agreement. Once Mr. Robinson has undergone an assessment with Lighthouse and has entered into a Lighthouse action plan, if one is recommended, his license will be placed on probation for a period of two (2) years. Mr. Bolden made a motion to approve the Consent Order. Mr. Sluss seconded the motion. The motion carried.

Agreed Order

Rebecca Claire Whitnel

Ms. Whitnel was not present and was not represented by counsel. Mr. Marc Guilford, Assistant General Counsel, presented the Agreed Order to the Board for ratification. In January 2010 Ms. Whitnel was convicted of two counts of possession of marijuana. In July 2010 she entered a rehabilitation program and in October 2010 she self-reported the convictions and the status of her treatment to the Board. Ms. Whitnel agrees to having her license suspended, beginning the effective date of this Order. In order for Ms. Whitnel to have the suspension lifted, she must undergo an assessment with Lighthouse and follow the recommendations of the assessment, at which time her license shall be placed on Probation. Ms. Whitnel agrees to comply with all requirements of the Agreed Citation. Ms. Edmond made a motion to accept the Agreed Order. Mr. Bolden seconded the motion. The motion carried.

Approved Continuing Education Courses

Mr. Sluss made a motion, seconded by Ms. Mayton, to approve the following continuing education courses:

1. Tennessee Massage Law-2 hours by Charlene Gaffney, LMT
2. Deep Tissue for the Cervical Region-5 hours by Kristine Bour, LMT
3. Developmental Kinesiology for the Massage Therapist-20 hours by Jacob Becker, D.C.

4. Tennessee Law for Massage Therapists-2 hours by Mary B. Wells, LMT
5. Pre-Natal Massage Level 1-8 hours by Laura Bolton, LMT
6. Tennessee Law-2 hours by Joseph R. Cooper, LMT
7. Introduction to Basic Energy Healing-8 hours by Cathy Singleton, A.S.N.
8. Tennessee Massage Law for Licensure Renewal-2 hours by David Winton, LMT, Southeastern Institute
9. Neuromuscular Therapy for the Head and Neck-13 hours by Cumberland Institute of Holistic Therapies
10. Lymphatic Drainage Massage for Head and Neck-13 hours by Cumberland Institute of Holistic Therapies

The motion carried.

Review Board Correspondence

The Board reviewed correspondence from Kristine Bour, LMT, requesting the Board to consider writing and including a formal scope of practice in the rules. Ms. Bour also questioned whether a massage therapist could work in the oral cavity or give clients strengthening exercises to do at home. Mr. Bolden made a motion to respond that the Board feels the scope of practice is acceptable as written and to refer Ms. Bour to Rule 0870-01-.19(t) pertaining to obtaining written consent and stating that a therapist can practice within their area of expertise. Ms. Edmond seconded the motion. The motion carried.

The Board reviewed correspondence from Charles West, LMT, regarding criteria for granting continuing education waivers. Mr. West provided his view that the current rules make the continuing education requirements easy and inexpensive to accomplish. He stated that in his opinion massage school owners, massage school directors and instructors, and massage continuing education providers, should not be granted continuing education waivers by the Board. The Board acknowledged that Mr. West was present and that no response was needed.

The Board reviewed correspondence from Karen Craig, LMT, requesting the Board consider granting two (2) hours of continuing education to Tennessee licensed massage therapists who are approved by the Board to teach the Tennessee Law classes if they attend at least two (2) Massage Board meetings in a continuing education cycle. Mr. Bolden requested this be added to the May meeting agenda for further discussion.

Consider Amendment to Extend Lighthouse Professional Services Contract

Ms. Edmond made a motion to extend the contract for one year. Mr. Bolden seconded the motion. The motion carried.

Discussion regarding California Massage Therapy Council School Lists

Mr. Sluss brought a list of schools for the Board to review and stated he is concerned they are diploma mills. Mr. Guilford offered to do some research and bring back a report to the May

meeting.

2013 Board Meeting Dates

Mr. Bolden made a motion, seconded by Mr. Sluss to confirm the following 2013 meeting dates:

February 4, 5, 2013

May 6, 7, 2013

August 5, 6, 2013

November 4, 5, 2013

All meetings are scheduled to be held in the Iris Room.

The motion carried.

Election of Officers

The Board elected the following officers:

Secretary: Ed Bolden

Chairperson: Marcela Collins

Consent Order

Charles Eugene Jackson, LMT

Mr. Jackson was not present and was not represented by counsel. Mr. Marc Guilford, Assistant General Counsel, presented the Consent Order to the Board for ratification. From about 2001 until at least December 2009 Mr. Jackson operated Tennessee Therapeutic Massage in Knoxville without a massage establishment license. Mr. Jackson agreed to pay one (1) Type A Civil Penalty in the amount of five hundred dollars (\$500.00).

Mr. Bolden made a motion, seconded by Ms. Mayton, to deny the consent order. The motion carried.

Being no further business, the meeting adjourned at 3:50 p.m.

These minutes were ratified at the meeting held on May 7, 2012.